

REVISED ADMINISTRATION FLOOR POSITION -  
INTELLIGENCE OVERSIGHT BILL

If H.R. 3822 is presented to the President, his senior advisors would recommend that it be vetoed because the bill raises a number of serious constitutional issues. Specifically, H.R. 3822 would:

--unconstitutionally infringe on the President's ability to carry out Executive functions regarding the conduct of foreign policy by requiring him to report every "finding" approving a covert action to the intelligence committees of Congress prior to the initiation of the covert action or, where prior notice is not possible, within 48 hours of the signing of that finding;

--seriously impinge on the President's ability to fulfill his constitutional duties in the field of foreign affairs by eliminating flexibility to determine the substance of Congressional notification and the President's ability to defer such notification in the interests of the national security until he determines that the circumstances dictating delay no longer exist, due to the disclosure requirements in Section 503; and

--constrain the President's ability to take action in the field of foreign affairs without due regard to the need for expedition, flexibility, and secrecy contravening the constitutional principle of separation of powers.

CIA TO RESPOND BY 2 p.m. 7/25